

MEMORIAL

OF THE

LEGISLATURE OF WISCONSIN,

ON

*The subject of a treaty with the Menomonie Indians for the lands north of Fox river.*

MARCH 22, 1848.

Referred to the Committee on Indian Affairs, and ordered to be printed.

MEMORIAL of the Council and House of Representatives of the Territory of Wisconsin to the Senate of the United States, upon the subject of a treaty with the Menomonie Indians for the lands north of the Fox river.

The memorial of the Council and House of Representatives of the Territory of Wisconsin to the Senate of the United States respectfully sheweth :

That a large and interesting portion of our territory lying north of the Fox and between the Wolf and Wisconsin rivers, in close proximity to densely settled counties, is still held and occupied by the Menomonie tribe of Indians. Various considerations of interest to this Territory imperiously demand the earliest possible extinguishment of the Indian title to those lands. On the 8th day of August, 1846, Congress passed an act appropriating to the State of Wisconsin a certain quantity of land, equal to one half of three sections in width on each side of the Fox river, and the lakes through which it passes, for the purpose of improving the Fox and Wisconsin rivers and constructing a canal to connect the same; which lands are to be selected by the governor of the State of Wisconsin. Previous to the passage of this act much of the valuable lands then in market upon the said river and lakes had already been purchased, and passed from the possession of the government; consequently, the selection of the necessary quantity of land to complete the said work, the location of which will be required immediately upon the organization of our State government the ensuing season, cannot be made in good lands from that part of the reservation now in market. Hence will be seen the imperious necessity of the early extinguishment of this Indian title, in order that the State may avail itself of the benefits of this important grant of Congress. But this interest is not the only important interest to the State of Wisconsin that would be injuriously affected by a delay of the extinguishment of the Indian title to those lands. At the present rate of purchase, and location by military land warrants, another year will nearly complete the sales of the desirable portion of agricultural lands lying south of the Fox river reservation; consequently these lands will be wanted for immediate settlement.

Your memorialists are also informed, and believe, that this tract of country, in addition to large quantities of valuable agricultural lands, embraces some of the best pine lands to be found in Wisconsin, and directly connects with a large and extensive agricultural district on the south, totally destitute of this valuable kind of timber. Hence another important consideration for the speedy sale of the lands alluded to.

In presenting these considerations for an early treaty with the Menomones for these valuable lands, your memorialists are aware that however desirable would be the accomplishment of this important object, they are constrained to believe that, under the restrictions imposed by the following clause of a resolution of the honorable Senate, adopted on the 3d day of March, A. D. 1842, viz: "that in future negotiations of Indian treaties *no reservation of land should be made in favor of any person*, nor the payment of any debts provided for," it will be in vain to attempt to treat with this tribe of Indians.

Your memorialists are satisfied, and believe, that these Indians are honestly and honorably indebted to certain Indian traders, who are allied to them by intermarriage, and who have resided long on their borders, and who, in seasons of want and distress, by sickness and by famine, have contributed liberally to their necessities, by supplies of provisions and goods, and that no considerations can be offered to induce these Indians to treat for their lands, except upon condition of payment by money, or grants of land, to the creditors and friends who have thus aided them in distress. Indeed, with the fullest convictions that *proper* credits have been thus given them, your memorialists believe that any attempt to urge them to make sale of their lands, without a provision for such payment, would be urging them to dishonor, and violate a legal and moral obligation, as binding as any in civilized life.

In view of all the premises, your memorialists most respectfully ask of your honorable body a reconsideration of the restrictions imposed by the resolution alluded to, that the appropriation since made by Congress for defraying the expenses of a treaty with that tribe of Indians may be made available, and all the benefits depending upon an early survey and sale of those valuable lands be realized to the people of Wisconsin.

And, as in duty bound, will ever pray.

TIMOTHY BURNS,

*Speaker of the House of Representatives.*

HORATIO N. WELLS,

*President of the Council.*

Approved February 26, 1848.

HENRY DODGE.

OFFICE OF THE SECRETARY OF WISCONSIN TERRITORY,

*Madison, February 28, 1848.*

I, John Catlin, secretary of Wisconsin Territory, do hereby certify that the foregoing is a true copy of a memorial passed by the Legislative Assembly of Wisconsin Territory, February 26, 1848, entitled "Memorial of the Council and House of Representatives of the Territory of Wisconsin to the Senate of the United States, upon the subject of a treaty with the Menomonie tribe of Indians for the lands north of the Fox river."

JOHN CATLIN,

*Secretary of Wisconsin Territory.*